

REMARKS/ARGUMENTS

Claims 1, 53 to 59, 61 to 68, 79 to 91, 95, and 96 are now pending in this application. Applicant has herein amended claims 1, 81, and 96. Claims 69 to 78, and 97 to 106 have been cancelled.

The Action has rejected claims 1, 57 to 58, and 79 to 96 under 35 U.S.C. §102(b) as being anticipated by Mentzel et al. (U.S. Patent No. 5,423,336). Additionally, the Action also sets forth that regarding claims 79 to 95, it would follow that the filter of Applicant's admitted art modified by Mentzel et al. would demonstrate the claimed functions and attributes. The Action has rejected claims 54, 55, 59, and 61 to 68 under 35 U.S.C. §103(a) as being unpatentable over Mentzel et al. in view of Applicant's admitted art. The Action has also rejected claims 1, 53 to 58, 79 to 91, and 95 to 96 under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted art in view of Mentzel et al. The Office Action also sets forth that there is allowable subject matter in the instant application. More specifically, the Action sets forth that claims 69 to 78, and 97 to 106 would be allowable if rewritten to include all of the features of the base claim and any intervening claims.

Applicant submits that the Office Action "Summary" page indicates that claim 78 is both rejected and objected to. However, as set forth above, page 5 of the Detailed Action expressly states that claim 78 is allowable. Consequently, Applicant assumes that the rejection of claim 78 on the Summary page is a typographical error.

Applicant further submits that independent claim 1 now includes the allowable subject matter of claims 69 to 78. Specifically, claim 1 now includes the allowable feature of the activated charcoal having specific amounts of specific mesh sizes of charcoal. Claim 1 has also been amended for purposes of clarity and form. Claim 96 now includes the allowable subject matter of claims 97 to 106. Specifically, claim 96 now includes the allowable feature of the activated charcoal having specific amounts of

specific mesh sizes of charcoal. Claim 81 has been amended for purposes of clarity and form.

As set forth above, the Office Action concedes that claim 69 to 78 would be allowable if rewritten in independent form. Consequently, Applicant submits that claim 1 is also allowable as it now includes the allowable subject matter of claims 69 to 78. The Office Action also concedes that claims 97 to 106 would be allowable if rewritten in independent form. Consequently, Applicant submits that claim 96 is also allowable as it now includes the allowable subject matter of claims 97 to 106. Moreover, Applicant submits that dependent claims 53 to 59, 61 to 68, 79 to 91, and 95 are also patentably distinguishable for at least the same reasons as discussed above with respect to claim 1. As such, all rejections should be withdrawn, since claims 1, 53 to 59, 61 to 68, 79 to 91, 95, and 96 are clearly in condition for immediate allowance.

In view of the above remarks responsive to the subject Office Action, the Applicant believes that the rejections under 35 U.S.C. §§102(b), and 103(a) should be withdrawn. The claims as currently presented distinguish from the art and represent patentable subject matter. Reconsideration and allowance, being in order, are earnestly solicited. Should there be further issues, the undersigned would welcome a telephone call from the Examiner to facilitate their resolution.

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Respectfully submitted,



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